

BROWN GAVALAS & FROMM LLP  
Attorneys for Defendant  
DELFINO MARITIME CORP.  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FERPINTA S.A., FERROCAMBO, and BREFFKA  
& HEHNKE GmbH & Co KG,

08 Civ. 5536 (SHS)

Plaintiffs,

**NOTICE OF MOTION**

-against-

DELFINO MARITIME CORP.,

Defendant.

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PLEASE TAKE NOTICE that pursuant to Supplemental Admiralty Rule E(4) and Rule 12(b)(6) of the Federal Rules of Civil Procedure, defendant DELFINO MARITIME CORP. (“Defendant”), by and through undersigned counsel, will move this Honorable Court for an order dismissing the Complaint and vacating the Court’s June 19, 2008 Order authorizing issuance of Process of Maritime Attachment and Garnishment. Defendant’s motion is based, *inter alia*, on the Defendant’s Memorandum of Law; the Declaration of Panagiotis Chiotelis, Esq.; and all prior proceedings and pleadings in this matter. Said motion shall be heard before the Honorable Sidney H. Stein at the Daniel Patrick Moynihan United States Courthouse, located at 500 Pearl Street, New York, New York at the time and date set by this Honorable Court.

PLEASE TAKE FUTHER NOTICE that papers in opposition to this motion, if any, shall be served on counsel for the Defendant so as to be received by 5:00 p.m. on July 31, 2008, and that reply papers, if any, shall be served on counsel for the Plaintiff so as to be received by 5:00 p.m. on August 4, 2008.

Dated: New York, New York  
July 25, 2008

BROWN GAVALAS & FROMM LLP  
Attorneys for Defendant  
DELFINO MARITIME CORP.

By:

  
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